

AT / III/A

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

10/529,496

Filing Date:

September 16, 2005

Applicant:

Anders HYLTANDER et al.

Group Art Unit:

3715

Examiner:

Alvin L. Carlos

Title:

DEVICE AND METHOD FOR GENERATING A VIRTUAL

ANATOMIC ENVIRONMENT

Attorney Docket:

10400-000151/US

Customer Service Window Randolph Building 401 Dulany Street Alexandria, VA 22314 **Mail Stop Amendment**  June 30, 2009

# INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

#### I. LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION

The patents, publications and other information submitted for consideration by the Office (except unpublished U.S. patent applications) are listed on Form PTO-1449 attached hereto.

#### II. <u>COPIES</u>

A. Submitted herewith is a legible copy of (i) each foreign patent; (ii) each publication or that portion which caused it to be listed, other than U.S. patents and U.S. patent application publications unless required by the Office; (iii) for each cited pending unpublished U.S. application listed below in Section IV, the application specification including the claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

B. Any patents, publications or other information which are listed on Form PTO-1449 or on the copies of Form PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number

U.S. Filing Date

	C. Because the present appling copies of the U.S. patents or listed on the attached Form PT 37 C.F.R. § 1.98(a)(2)(i). An literature listed on the attached	U.S. patent application publ O-1449 are enclosed pursua ly foreign patent documen	ications which are nt to the waiver of ts or non-patent	
	D. This is a PCT application States. A copy of the Inter Examiner's information. The Report are listed on the attace Examiner and for listing on an the International Search Repauthorities, copies of these rusper under the trilateral agrabove-identified application. (In	mational Search Report is documents listed on the Inthe Hed Form PTO-1449 for cory patent resulting from this a ort was from the US, EPC eferences should have been been eement and are believed to be	attached for the ernational Search isideration by the application. Since D, or JPO search is supplied to the	
III.	CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)			
	A. $\square$ Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).			
	B. $\boxtimes$ A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):			
	counterpart forei Action for Japan April 10, 2009.	foreign patent office comments of the general patent application in the general patent application in the general patent apparent of the general patents of the	anslation of Office 004-539722 dated	
	C. $\boxtimes$ The following additional consideration.	l information is provided fo	or the Examiner's	
WIPO patent publication no. WO 98/58358 is listed as a corresponding application to Japanese patent publication no. JP 2002-511156 cited in the Office Action for Japanese patent application no. 2004-539722 dated April 10, 2009 (as noted in the Office Action on page 2).				
IV.	CROSS REFERENCE TO RELATED APPLICATION(S)			
	A. The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. § 122.			
	Serial No.	Filing Date	Art Unit	

## V. THIS IDS IS BEING FILED UNDER

A.  37 C.F.R. § 1.97(b): (check <u>only</u> one box)			
1. within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.			
2.  within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.			
3. before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).			
4.  before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.			
B. 37 C.F.R. § 1.97(c): (check <u>only</u> one box)			
before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.			
1. $\square$ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).			
2.  See the certification below. No fee is required.			

# C. 🛛 37 C.F.R. § 1.97(d):

☑ after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

1.  $\boxtimes$  See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

### VI. <u>CERTIFICATION UNDER 37 C.F.R. § 1.97(e)</u>: (check <u>only</u> one box)

The undersigned hereby certifies that:

A.  $\boxtimes$  each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign

application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)). See further statement under 37 C.F.R. § 1.704(d) below in section VII, if applicable; or B. no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)). C. Some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS. STATEMENT UNDER 37 C.F.R. § 1.704(d) The undersigned hereby states that: each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this IDS. PAYMENT OF FEES (check only one box) A. \(\sumsymbol{\substack}\) No fee is believed to be due in light of the above-noted status or above-provided certification. B. \(\pi\) A check in the amount of \$180.00 is enclosed for the above-identified fee. C. Please charge Deposit Account No. 08-0750 in the amount of \$180.00

VII.

VIII.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

for the above-indicated fee. A duplicate copy of this paper is attached.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 08-0750.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. §§ 1.16 or 1.17 to Deposit Account No. 08-0750.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

Donald I Da

ponald J Daley, Reg. No. 34,313

PO. Box/8910

Reston, Virginia 20195

(\$703) dg/8-8000

DJD/CES:eaf

Enclosures:

Form PTO-1449 (1 sheet)

Documents

English translation of Japanese Office Action

∑ Fee

Other: